

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHASOM BROWN, WILLIAM BYATT,  
JEREMY DAVIS, CHRISTOPHER CASTILLO,  
and MONIQUE TRUJILLO individually and on  
behalf of all other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 4:20-cv-03664-YGR-SVK

**[PROPOSED] ORDER DENYING  
GOOGLE'S MOTION FOR SUMMARY  
JUDGMENT**

Judge: Hon. Yvonne Gonzalez Rogers

1 Before the Court is Google LLC's ("Google") Motion for Summary Judgment (Dkt. 908)  
 2 (the "Motion") and Plaintiffs' Response in Opposition to Google's Motion for Summary Judgment  
 3 (Dkt. \_\_\_\_ ) (the "Response"). Having considered the parties' papers filed in support of and in  
 4 opposition to the Motion, argument by counsel, and all other matters properly considered by this  
 5 Court, the Court finds there is good cause to **DENY** Google's Motion.

6 Plaintiffs have raised triable issues of material fact that preclude summary judgment. *Cal. v.*  
 7 *Ross*, 362 F. Supp. 3d 749, 755-56 (N.D. Cal. 2018); *Opperman v. Path, Inc.*, 205 F. Supp. 3d 1064,  
 8 1074 (N.D. Cal. 2016). The legal arguments that Google advances in its Motion are not new and  
 9 have twice been rejected in this litigation. Dkt. 113 (order denying first motion to dismiss), Dkt. 363  
 10 (order denying second motion). The evidence that Plaintiffs have identified supports Article III  
 11 standing and substantiates the allegations from their Fourth Amended Complaint in support of their  
 12 seven causes of action, creating at minimum triable issues of material fact. Accordingly, Google  
 13 cannot meet its summary judgment burden to prove that "no reasonable jury could find" for  
 14 Plaintiffs, *Calhoun v. Google, LLC*, 2022 WL 18107184, at \*7 (N.D. Cal. Dec. 12, 2022).

15 **THEREFORE, IT IS ORDERED** that for the reasons stated in the Plaintiffs' Response in  
 16 Opposition to Google's Motion for Summary Judgment, Google's Motion for Summary Judgment  
 17 is **DENIED**.

18 **IT IS SO ORDERED.**

19  
 20 DATED: \_\_\_\_\_

21 HON. YVONNE GONZALEZ ROGERS  
 22 United States District Judge  
 23  
 24  
 25  
 26  
 27  
 28